

REMARKS

Claims 1-7 remain pending in the present application. Claim 1 has been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

REJECTION UNDER 35 U.S.C. § 112

Claims 1-7 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Applicants respectfully traverse this rejection. Applicants believe Figure 2 clearly supports the limitation for an inlet duct. As shown in Figure 2, air cleaner 50 is in communication with an inlet 51 through an inlet duct (not numbered). This interpretation is similar to the Examiner's interpretation of air cleaner 13 and air intake 26 in Ueda, et al. Applicants have chosen to delete the inlet duct in response to this Office Action but Applicants reserve the right to add this limitation in any future response. Reconsideration of the rejection is respectfully requested.

Regarding the term "air conditioner", this is simply a typographical error since it should have been "air cleaner". Reconsideration of the rejection is respectfully requested.

Claims 1-7 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. As discussed above, this was a typographical error. Regardless, this term has been deleted. Reconsideration of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-7, as best understood, are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ueda, et al. (U.S. Pat. No. 5,058,558) in view of Arakawa, et al. (U.S. Pat. No. 5,448,982). Applicants respectfully traverse this rejection. Applicants have amended Claim 1 to define the inlet of the air cleaner faces away from the internal combustion engine in a direction transverse to the longitudinal direction of the vehicle. In this manner cool air not heated by the engine is provided to the air cleaner.

Ueda, et al. discloses inlet 26 which faces away from the engine but in the longitudinal direction of the vehicle. Arakawa, et al. discloses an inlet 15 which is transverse to the longitudinal direction of the vehicle but it faces the engine and is not facing away from the engine as is now defined in amended Claim 1.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-7, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and

favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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